

REMARKS

Examiner Del Cotto is thanked for his careful review of the present patent application. It is respectfully submitted that the case is now in condition for allowance.

The § 102(e) rejections have been rendered moot by the cancellation of the claims subject to rejection. The cancellation of these claims is made without prejudice.

The § 103 rejections should be withdrawn. The McPherson et al. publication is not prior art under § 102(a) to the present application. The claims subject to rejection all find support in Provisional Application 60/393,170, filed July 2, 2002, which is before the publication date of the McPherson et al. application. McPherson et al. cannot be applied as a § 102(e)/103 reference as against the claims of the present application, because McPherson et al. and the present application and the inventions contained therein have at all times been owned by or subject to an obligation of an assignment to the same entity (Grain Processing Corporation of Muscatine, Iowa).

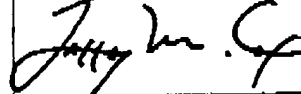
The double-patenting rejection is not proper pursuant to 35 USC § 121. The claims of Application Serial No. 11/077,061 were restricted in the present application by Examiner Hamlin (see Office Action mailed October 1, 2004). This rejection should be withdrawn.

Applicants hereby resubmit the Information Disclosure Statement of June 21, 2005. It is the understanding of the undersigned that Examiner Del Cotto has withdrawn the finality of all preceding Office Actions, and thus the submission of the Information Disclosure Statement at this time is satisfactory and complies with the rules. It is understood that Examiner Del Cotto authorized such procedure pursuant to a telephone conversation between the undersigned and Mr. Del Cotto on September 14, 2005.

For the foregoing reasons withdrawal of all rejections, prompt consideration of the Information Disclosure Statement, and issuance of a prompt and favorable Notice of Allowance are respectfully requested.

Dated: December 9, 2005

Respectfully submitted,



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